United Nations CRC/C/PRK/Q/5

Convention on the Rights of the Child

Distr.: General
28 February 2017

Original: English
English, French and Spanish only

Committee on the Rights of the Child
Seventy-sixth session
11-29 September 2017
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the fifth periodic report of the Democratic People's Republic of Korea

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 16 June 2017. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

Part I

1. Please inform the Committee on progress made in developing and implementing a comprehensive policy and strategy to give effect to the Law on the Protection of the Rights of the Child of 2010. Please also inform the Committee on the progress achieved by the National Programme of Action for the Well-being of Children, its current status and whether any new policy or programme of action exists. Please provide information on the introduction of resource tracking from a child-rights perspective (see CRC/C/PRK/4, para. 16).

2. Please provide information on any action taken, and any results thereof, to develop a comprehensive system for the collection of data on the implementation of the Convention covering all children below 18 years of age and disaggregated by age, sex, nationality, area of residence (urban or rural) and disability. Data should also be collected on groups of children in vulnerable situations, such as children living in institutions, children in street situations and children in labour programmes.

3. Please provide information on any measures taken, and any challenges faced, with regard to establishing an independent, child-friendly monitoring mechanism, such as an ombudsperson for children. With reference to the State party report, please provide detailed information on how existing procedures for receiving complaints from children are independent, confidential, accessible and child-friendly (see CRC/C/PRK/4, para. 58).

4. Please provide information on measures taken to guarantee to all children the right to non-discrimination in all aspects, irrespective of their family situation and social background, including children of non-Korean parents living in the State party.

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5. With reference to the Committee's previous recommendations (see CRC/C/PRK/CO/4, para. 32), please provide information on, among other things, the adoption of legislation and other measures prohibiting children from being subjected to torture, establishing appropriate sanctions against perpetrators and ensuring the physical and psychological recovery of child victims. Please inform the Committee on measures taken to prohibit corporal punishment in all settings.

6. Please inform the Committee about childcare services available to children of unemployed mothers. Please provide information on measures taken to protect children's right to family life, promote foster care, decrease the number of children placed in institutions and guarantee periodic reviews of placements.

7. Please provide information on the measures taken to address the Committee's previous recommendations on abuse and neglect (see CRC/C/PRK/CO/4, para. 41), namely that the State party undertake a study on abuse and neglect in all settings, reinforce mechanisms for monitoring, train relevant personnel, carry out public education campaigns, ensure services to victims and establish a toll-free helpline for children. Please inform the Committee on the applicable legislation criminalizing the sexual abuse of boys.

8. Please provide detailed information on whether the 20 hours allotted for field practice are weekly, monthly or per school year and the measures taken to ensure that school staff and State officials do not require students to carry out labour activities in addition. Please inform the Committee on how human rights education and the rights of the child have been integrated into the school curriculum at the primary and secondary levels.

9. Please provide information on the implementation of the Committee's previous recommendations regarding child labour (see CRC/C/PRK/CO/4, para. 61) beyond the applicable legal framework. Please provide information on the criteria used to assign children who are 16 and 17 years old to *dolgyeokdae* (labour brigades), whether they have the option to refuse and how an adequate standard of living is ensured. Please also inform the Committee on the measures taken to respect the right to rest and leisure of all children.

10. Please provide information on the measures taken to ensure that children under the age of 18 years are not subjected to punishment for leaving the territory of the State party without due authorization. Please also inform the Committee on what happens to children returned from China, how they are initially processed and how the re-education programmes are in the best interests of the child.

11. Please provide detailed information on the implementation of the Committee's previous recommendations regarding children in street situations (see CRC/C/PRK/CO/4, para. 65) and regarding the arrest and forced institutionalization of such children. Please provide information on the measures taken to raise awareness of and prevent human trafficking and to provide protection and support to child victims of trafficking.

12. Please explain what "public education measures" applicable to children between 14 and 17 years of age in conflict with the law consist of and, in particular, the criteria used by the prosecutor, the procedural guarantees, the type of sanctions and their duration. Please inform the Committee on measures taken to create an independent, child-sensitive and accessible system to process complaints by children against law enforcement personnel.

Part II

13. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

(a) New bills or laws, and their respective regulations, including the Law on the Protection of the Rights of the Child of 2010 and the Law on General Secondary Education of 2011;

(b) New institutions (and their mandates) or institutional reforms;

(c) Recently introduced policies, programmes and action plans and their scope and financing;

(d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

14. Please provide consolidated information for the past three years on the budget lines regarding children and social sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources.

15. Please provide, if available, updated statistical data disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on the rates of malnutrition.

16. Please provide, if available, updated statistical data disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on the number of:

(a) Child victims of torture and ill-treatment while in detention, investigations and prosecutions carried out and sentences delivered, and children who received legal aid and physical and psychological recovery and social reintegration services;

(b) Child victims of neglect and abuse, especially in institutions and alternative care settings;

(c) Parents, guardians or staff of care institutions accused, indicted and convicted of child abuse, including sexual abuse;

(d) Child victims of trafficking and the social and psychological services available to them;

(e) Children of non-Korean ethnic origin;

(f) Children in street situations;

(g) Child victims of trafficking and abduction;

(h) Children involved in substance abuse and how many of them have received treatment, recovery and reintegration assistance;

(i) Children repatriated to the State party from neighbouring countries, whether accompanied or unaccompanied;

(j) Children in *kwanliso* (political prison camps) charged of guilt by association.

17. Please provide data disaggregated by age, sex, socioeconomic background, ethnic origin, national origin and geographic location regarding the situation of children deprived of a family environment, for the past three years, on the number of children:

(a) Separated from their parents;

(b) Placed in institutions;

(c) Adopted domestically or through intercountry adoptions.

18. Please provide data, disaggregated by age, sex, type of disability, ethnic origin, national origin, socioeconomic status and geographic location, for the past three years, on the number of children with disabilities:

(a) Living with their families;

(b) Living in institutions;

(c) Attending regular primary schools;

(d) Attending regular secondary schools;

(e) Attending special schools;

(f) Out of school;

(g) Abandoned by their families.

19. Please provide detailed, disaggregated information, for the past three years, on the number of child rights complaints received by the authorities, including the number that led to investigations and prosecutions and the number and type of convictions applied to perpetrators.

20. Please provide disaggregated data on the number of children in conflict with the law, including children between 14 and 17 years of age, who have been subjected to "public education measures", the sanctions applied and their duration. Please also provide information on the number of children who have had access to legal aid.

21. Please provide the Committee with an update of any data in the report that may have become outdated by more recent data collected or other new developments.

22. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.